

10/694,500**Patent
IBM Docket No. FIS920020001US2****REMARKS**

Claims 9 to 11, 13 to 16 and 18 are pending in the present application. Claim 18 has been amended for which there is support in the specification, claims and drawings as originally filed.

Reconsideration of the Examiner's decisions and reexamination of this application are respectfully requested.

The Examiner's courtesy in granting an interview with the undersigned on January 26 , 2006, is acknowledged. During the interview, the undersigned discussed with the Examiner claim 16 and amended claim 18 with respect to the Davis et al. U.S. Patent 6,815,346 reference cited by the Examiner.

The §102 rejections:

Claims 16 and 18 have been rejected by the Examiner under 35 USC §102(e) as being anticipated by Davis et al. U.S. Patent 6,815,346 (hereafter "Davis").

Claim 16 requires "a metallic wall" that "comprises spaced-apart via-studs physically connected by an interconnection line" and "a layer of insulation material between the metallic wall and the dielectric material...and wherein the layer of insulation material is between the dielectric material and each of the via studs."

One interpretation of Figure 6H of Davis is spaced-apart via studs 77, 102 physically

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connected by an interconnection line. However, Davis does not show a layer of insulation material between the metallic wall (spaced-apart via studs) and dielectric material 79, 50 81, 83 and certainly not between the dielectric material and each of the via studs.

Since Davis fails to show a limitation of Applicants' claim 16, Davis cannot anticipate Applicants' claim 16.

Claim 18 has been amended to clarify the relationship of the wall of insulation material to the via studs. As such, the wall of insulation material extends the full length of the via studs.

Referring again to Figure 6H of Davis, Davis does not show a wall of insulation material that extends the full length of the via studs.

Since Davis fails to show a limitation of Applicants' claim 18, Davis cannot anticipate Applicants' claim 18.

The §103 rejections:

Claims 9 to 11 and 13 to 15 have been rejected by the Examiner under 35 USC §103(a) as being obvious over Davis in view of Chooi et al. U.S. Patent 6,372,636 (hereafter Chooi).

The Examiner has indicated that this rejection might be overcome by showing that Davis is disqualified under 35 USC §103(c) as prior art in a rejection under 35 USC §103(a).

The application and the Davis reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person. Accordingly, Davis is disqualified

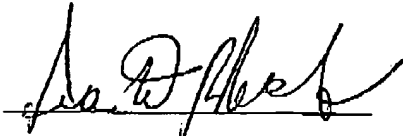
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as prior art under 35 USC §103(c). The rejection of claims 9 to 11 and 13 to 15 under 35 USC §103(a) must then fail and claims 9 to 11 and 13 to 15 are deemed to be allowable.

Summary:

In view of all of the preceding remarks, claims 9 to 11, 13 to 16 and 18 are believed to be in condition for allowance. Further action with respect to the present application is earnestly solicited. If the Examiner finds this application deficient in any respect, the Examiner is invited to telephone the undersigned at the Examiner's earliest convenience to resolve such deficiency.

Respectfully Submitted,
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